

ALLEGAN COUNTY
MATERIALS MANAGEMENT PLANNING COMMITTEE
BYLAWS

ARTICLE I – Name and Office

- 1.0 The name of this committee is the Allegan County Materials Management Planning Committee (“Committee”).
- 1.1 The office and mailing address of the Committee shall be 3283 122nd Avenue, Allegan, MI 49010.

ARTICLE II – Purpose and Function

- 2.0 Pursuant to Public Act 451 of 1994 of the Natural Resources and Environment Protection Act, Subpart 11, Materials Management Plans as amended, (“Act”) the purpose of the Committee, as a permanent body is to:
 - 1. Direct the Designated Planning Agency (“DPA”) in preparing the Materials Management Plan (“MMP”). Provide recommendations and guidance to the DPA pursuant to the Act.
 - 2. Implement a new MMP that will focus on sustainable material management approaches such as recycling and composting instead of landfilling waste.
 - 3. Review and approve the DPA’s work program under MCL 324.11587(4)
 - 4. Identify relevant local materials management policies and priorities.
 - 5. Ensure coordination in the preparation of the MMP.
 - 6. Ensure that the DPA is fulfilling the statute's requirements regarding the MMP's content and public participation.
 - 7. Notify the DPA of any deficiencies. If the deficiencies are not addressed by the DPA to the Committee’s satisfaction, then the Committee will notify the County Approval Agency (“CAA”), the Allegan County Board of Commissioners. Provide information through the DPA to the CAA.
 - 8. Promote the public's awareness of the benefits of recycling solid waste, facilitate the development of practices reducing the deposit of solid, recyclable waste in landfills, provide oversight to the operation of solid waste and recycling services initiated by the County under the Act, provide for and plan for the disposition of solid waste generated from within Allegan County, and assist the County of Allegan in the preparation of amendments to the County's MMP.
 - 9. Provide the new MMP to the State of Michigan and CAA pursuant to the terms and conditions of the Act.
- 2.1 The function of the Committee is to:
 - 1. Meet consistently and timely to provide recommendations and guidance to the DPA for the Work Plan that will be submitted to the State of Michigan.
 - 2. Review and approve the DPA work program.
 - 3. Provide guidance and recommendations for all issues identified in Part 115 of the Act to the DPA.
 - 4. Shape the MMP program’s philosophy and long-term and short-term goals and objections.
 - 5. Provide a final level of approval of the MMP before it is presented to the CAA for approval.

ARTICLE III - History

- 3.0 This Committee was formed by the County of Allegan, Board of Commissioners on August 22, 2024, pursuant to MCL 324.11571 et. seq., which was effective March 29, 2023.

ARTICLE IV: Authority

4.0 The Committee shall have responsibilities, authority, obligations, and duties as provided by the Act.

ARTICLE V - Membership, Officers, and Duties

- 5.0 Applications for Committee membership will be solicited by the County Board of Commissioners, reviewed by the Committee, and then a recommendation will be forwarded to the County Board of Commissioners for consideration and action.
- 5.1 Committee members will initially serve a five (5) year term. The immediate successors should be appointed for staggering appointments of 2, 3, 4, or 5-year terms so that, as nearly as possible, the same number are appointed for each term length. Member appointments should be staggered so that no more than two (2) vacancies are scheduled to occur in any single year. Subsequently, the members will be appointed for terms of 5 years. A member may be re-appointed. By completing an Allegan County Boards and Commissions Appointment Application, committee members may request to continue membership as long as their participation is in good standing.
- 5.2 Vacancies: Membership vacancies shall be filled for the unexpired term in the same manner as the original appointments. MCL 324.11572(2)
- 5.3 Removal: The CAA may remove a member for incompetence, dereliction of duty, or malfeasance, misfeasance, or nonfeasance in office. MCL 324.11572(2)
- 5.4 Resignation: A Committee member will indicate their intent to resign by submitting a written statement with an effective date of resignation to the Committee with copies to the CAA. A Committee member shall provide at least thirty (30) days' notice before resignation, when practicable.
- 5.5 Under MCL 324.11572(4), the Committee membership will be as follows:
1. A representative of a solid waste disposal facility operator that provides service in the planning area.
 2. A representative of a hauler that provides service in the planning area.
 3. A representative of a materials recovery facility operator that provides service in the planning area.
 4. A representative of a composting facility or anaerobic digester operator that provides service in the planning area.
 5. A representative of a waste diversion, reuse, or reduction facility operator that provides service in the planning area.
 6. A representative of an environmental interest group that has members residing in the planning area.
 7. An elected official of the county.
 8. An elected official of a township in the planning area.
 9. An elected official of a city or village in the planning area.
 10. A representative of a business that generates a managed material in the planning area.
 11. A representative of the regional planning agency whose territory includes the planning area.
 12. Any additional members appointed under subsections (5) or (6) or section 11578(3) as applicable.
 - (a) Subsection (5) states that the CAA may appoint one (1) additional regular member that does business in or resides in an adjacent municipality outside the planning area.
 - (b) Subsection (6) is applicable to a multicounty MMP.
 - (c) MCL 324.11578(3) states that if a solid waste landfill is proposed to be developed in the planning area within 2 miles of a municipality that is located adjacent to the planning area or if a solid waste processing and transfer facility or materials utilization facility is proposed to be

developed in the planning area within 1 mile of such a municipality, then the planning committee shall provide the adjacent municipality an opportunity to comment on the proposed development.

- 5.6 The Committee will elect a Chairperson and other officers it considers necessary or appropriate from its members at its first meeting and annually. The Committee also considers a Vice-Chairperson necessary, and one will be elected from its members annually. These officers shall be elected annually at a meeting in August.
- 5.7 Each officer's term is one calendar year. In the event of an early resignation, the Committee will elect one who will complete the term from its members.
- 5.8 The Chairperson will preside at all meetings, appoint sub-committees deemed necessary, and perform duties as may be directed by the Committee.
- 5.9 The Vice-Chairperson, in the Chairperson's absence, will preside and perform the Chairperson's duties and obligations in all aspects.

ARTICLE VI - Sub-Committees

- 6.0 Special sub-committees shall be formed, as authorized by the Committee and appointed by the Chairperson, when deemed necessary for the discharge of the duties of the Committee.
- 6.1 The Solid Waste and Recycling Coordinator shall identify for the Committee any necessary ad hoc committees as necessary to ensure the proper conduct of business.

ARTICLE VII- Meetings

- 7.0 A regularly scheduled meeting day and time shall be determined by the Committee and public notification shall be posted. Meetings may be canceled due to insufficient material for the agenda. Meetings will be held timely and on a consistent basis and will be open to the public. The location will be determined by the Chairperson with assistance from the DPA the Solid Waste and Recycling Coordinator.
- 7.1 The Chairperson will generate the agenda for each regular meeting after consultation with the Solid Waste and Recycling Coordinator; call meetings to order and formally close meetings; note whether a quorum is present; extend every courtesy to the discussion of the motions; repeat and/or explain each motion before it is voted upon.
- 7.2 Special meetings may be called by the Chairperson, or by three or more members of the Committee, at such time and place as deemed necessary.
- 7.3 Notices of all regular meetings shall be e-mailed to all members no later than five (5) days before the meetings. Notices of special meetings, including an agenda and purpose, will be given to members no later than twenty-four (24) hours prior to any special meeting.
- 7.4 All meetings will be noticed and conducted in accordance with the Michigan Open Meetings Act ("OMA"), MCL 15.261 *et. seq.*

- 7.5 The County Solid Waste and Recycling Coordinator will assist the Chairperson. The Solid Waste and Recycling Coordinator is responsible for conducting and coordinating all technical studies, investigations, surveys, reports, and recommendations authorized on behalf of the Committee. The Solid Waste and Recycling Coordinator will also update the Committee on the performance of the Resource Recovery Program and Recycling Program.
- 7.6 The Solid Waste and Recycling Coordinator or designee shall record Committee deliberations and actions. All official records will be held in the County Solid Waste and Recycling Coordinator's Office, with copies timely presented to the Chairperson of the Board of Commissioners and the County Administrator.

ARTICLE VIII - Rules of Conduct

- 8.0 Quorum: A quorum of the Committee consists of the majority of those appointed and serving members.
- 8.1 Voting: Official action can be taken only with the presence of a quorum. No proxy or alternate votes are allowed.
- 8.2 Conflict of Interest: When appropriate, all committee members must declare a potential or real conflict of interest with items of consideration before the Committee. The Committee will, upon deliberation, determine the presence of a conflict and permit or prevent a vote by those members indicating a conflict. A Conflict of interest will not influence the determination of a quorum.
- 8.3 Conduct of a regular meeting requires the following order of business:
1. Call to Order
 2. Attendance and Determination of Quorum
 3. Modification(s) to the Agenda
 4. Approval of Agenda
 5. Approval of Minutes
 6. Public Comment
 7. Hearings (if scheduled)
 8. Solid Waste and Recycling Coordinator Report
 9. Old Business
 10. New Business
 11. Miscellaneous/Round Table
 12. Determination/Recognition of Next Meeting Date
 13. Adjournment
- 8.4 Any item of business to be presented to the Committee shall be submitted to the Solid Waste and Recycling Coordinator not less than ten (10) days prior to any regular Committee meeting. Items not included on the notice of meeting agenda shall not be acted upon at such meeting, except and unless two-thirds (2/3's) of the Committee members present consent.
- 8.5 Any writing prepared, owned, used, in the possession of, or retained by the Committee shall be made available to the public in accordance with the Freedom of Information Act, MCL 15.231 et. seq.
- 8.6 The conduct of meetings will be guided by Robert's Rules of Order.

ARTICLE IX - Amendments

9.0 Proposed changes in these bylaws will be presented to the Allegan County Board of Commissioners for consideration, comment, and action upon recommendation of a majority of the Committee members appointed and serving.

Signatures:

Sign: Gale Dugan
Name: Gale Dugan
Title: Board of Commissioners Chair
Date: March 13, 2025

Sign: Garth R. Lewellyn
Name: GARTH R. LEWELLYN
Title: MATERIALS MANAGEMENT PLANNING COMMITTEE CHAIR
Date: 3/26/2025